

## REMARKS

### Status of the Claims

- Claims 1-3, 5-10 and 20-27 are pending in the Application after entry of this amendment.
- Claims 1, 5, 6, and 20 are amended.
- Claim 4 is cancelled.

### Claim Rejections Pursuant to 35 U.S.C. §112

Claims 1-10 and 20-27 are rejected under 35 U.S.C §112 for the confusing use of the terms “client” and “user” Applicant has amended Claims 1, 5, 6, and 20 to recite a “user”. Thus, Applicant respectfully requests withdrawal of the 35 U.S.C §112 rejection.

### Claim Rejections Pursuant to 35 U.S.C. §103 (a)

Claims 1-10 and 20-27 stand rejected pursuant to 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 7,026,453 to Clarke and by the Examiner’s Official Notice of standard industry codes. Applicant respectfully traverses the rejection.

Clarke discloses systems and methods which allow a more efficient *shopping* experience. A cascading commerce menu provides access to a plurality of product, service, and/or content categories. In one embodiment, the cascading commerce menu is stored on a client computer, thereby providing quick access to the menu. (see Abstract)

Clarke at col. 3, lines 18-32 teaches:

“FIG. 1 illustrates one such exemplary cascading commerce menu 100. The cascading menu can contain a top-level menu 102 that lists a first high-level set of product, service, and/or advertising categories, and a series of descending sub-menus 104, 106, 108, where each sub-menu further defines the product, service, and advertising categories into more detailed subcategories. *In the example illustrated in FIG. 1, the top-level menu 102 categories include shopping, hot buys, information centers, and so on.* The next level or submenu 104, which descends from the Centers category 110, includes the further categories of arts, business, classifieds, etc. The next cascading

menu 106, which descends from the Business category 112, lists still more refined categories, such as accounting, advertising, books, and so on. "(col. 3, lines 18-32).

Applicant notes that Figure 1 teaches a commerce menu. As stated in the Clarke summary of col. 1, lines 47-49: "The cascading menu can automatically provide sub-categories such that a user can easily *locate desired products and services*.". Thus, Applicant concludes that the Figure 1 cascade is used to search for products and services on-line. Claim 1 is not directed to a search method. Claim 1 is directed to a registration method for the listing of business directory information.

Applicant also notes that Figure 1 of Clarke does not contain a listing of directory information for a business such that the listing of directory information is lowest level in the tree node organization as is recited by Claim 1.

Further, Clarke at col. 9, lines 23-51 teaches:

"FIG. 4 illustrates one exemplary menu 400 with *advertisements* 408, 410 and paid for link positioning 412, 414, 416, 418. Thus, the "jobsonline" and "insweb" are paid for advertisements 408, 410 placed on menus related to the subject matter of the advertisement. The advertisements 408, 410 also act as links to the respective advertisers' sites. The pay-for-placements hyperlinks 412, 414, 416, 418 can also include the amount paid 420, 422, 424, 426, respectively, for the placement for each click, i.e., can include an indication of a credit or micro-credit to be earned by a consumer who clicks on the link.

One or more *spaces can be reserved in each menu level for one or more pay-for-placements hyperlinks*, which may directly link the consumer to the advertiser's site. In one embodiment, the placement system is a real-time competitive auction system. FIG. 5 illustrates *an exemplary online bid form 500* or screen provided by a commerce server. *The bid form 500 can be used by an advertiser to apply for advertising or pay-for-placements hyperlinks that can be placed on the cascading commerce menu*. Where several advertisers vie for a reserved space, the bid form 500 allows a bidding advertiser to submit a bid for the reserved space.

In one embodiment, *the advertiser selects the menu or submenu for the reserved space* by using a menu system similar to the menu systems described in

connection with FIGS. 1, 2, and 4. The menu system guides the advertiser to the desired category of information. The advertiser can enter the advertiser's URL in the URL field 502.” (col. 9, lines 23-51).

Applicant concludes that the system of Clarke teaches a system that is used for “searching” for items to purchase on-line (as in Figure 1) and is also used for the placement of advertisements (as in Figures 4 and 5). Amended Claim 1, by distinction, is a method to “register” a listing in a business directory. No searching for products or placement of advertisements is performed in amended Claim 1. Clarke does not teach or suggest a method of registering a listing of a business in a business directory. Also, Clarke does not have the structure, as recited in Claim 1, wherein the standard industry code is included in the listing of the business directory level and wherein the business directory listing itself is the lowest level of nodes in a tree organization. Clarke, it seems does not address the registration of listings for businesses in a business directory as does amended Claim 1.

Since Clarke does not teach, suggest, or otherwise address the registration of business directory listings having standard industry codes in which the business directory listings are the lowest level of node in a tree structure as recited in amended Claim 1, then the combination of Clarke and the Examiner’s Official Notice of the existence of SIC codes does not render obvious amended Claim 1 under MPEP §2143.03 because all of the elements of amended Claim 1 are not present in the combination. Notably, Clarke fails to teach or suggest a registration method or a taxonomy wherein business directory listings having standard industry codes are the lowest level of node in a tree organization that is used for registration of a business directory listing.

Applicant notes that the elements of a tree organization used for registration of business directory listings having standard industry codes where the business directory listings are the lowest level nodes in a tree organization are present in amended Claims 1, 5, 6, and 20. Applicant concludes that the combination of Clarke and the Examiner’s Office Notice fail to render obvious any of the pending independent claims and their respective dependent claims.

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**PATENT**

Accordingly, Applicant respectfully requests withdrawal of the 35 U.S.C. §103(a) rejection and reconsideration of amended Claims 1-10 and 20-27 because, as described above, these claims patentably define over the cited art.

**Conclusion**

Applicant respectfully submits that the arguments and amendments effectively traverse the rejections of the cited art. Applicant respectfully requests reconsideration for all pending claims and a Notice of Allowance.

Respectfully submitted,

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/Jerome G. Schaefer/

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Jerome G. Schaefer  
Registration No. 50,800

Woodcock Washburn LLP  
Cira Centre  
2929 Arch Street, 12th Floor  
Philadelphia, PA 19104-2891  
Telephone: (215) 568-3100  
Facsimile: (215) 568-3439